

BR

Please Judge James B. Zagel

COPY

8.C. 1557

Paul Smith

V

Counselor Tuckett

Honorable Judge

Cook County Sheriff/Supt. James Zagel

FILED

JUL 29 2008

JUL 29 2008

MICHAEL W. DOBINS  
CLERK, U.S. DISTRICT COURTMotion to Reply to Notice of filing OR  
And docket from 7.2.08@

Plaintiff Recieved A Motion on 6.24.08. Notice of filing. Plaintiff Would State following facts. Dec. 2006 Plaintiff Would State following facts. Plaintiff Was Attacked And Stabb-  
Plaintiff Constitutional Rights had been Violated because Plaintiff tayed to Avoid being Stabbed, but had his Constitu-  
tional Rights Violated by Counselor Tuckett who knew before before day of Stabbing that Plaintiff had filed A grievance And Asked to be Moved from tier before Stabbing. Plaintiff Also wrote A Note to div Supt Asking to be Moved, but Was denied for whatever Reason. State Actor knew from Plain-  
tiff. before Stabbing Stabbing Cook County Sheriff Was Not on his Job. After being told by Plaintiff of threats Made At Count time. Sheriff Respond WAS he WAS Counting. Plaintiff Waited for Count to Clear. But did Not hear from Sheriff or And Sheriff Supervisees. Plaintiff Went in day Room to Sheriff Post/Watch to Pursue getting help, Sher-  
iff Post WAS empty no Re, place ment AS Obligated to. Small Note. There's no offenders At the headed.

Plaintiff Was going to Return to Cell for Safety but Was Stopped Beaten And Stabbed twice in the face And had to Recieve Several Stitches from Cook County Cermack Med Unit. Plaintiff Was left bleeding UNAWARE of the Possibility of being Stabbed to death, they Just had Killed Someone in div 11. My family Couldn't beleave What happen, I Couldn't eat for Several days. Sheriff failed the Nature of his obligation/duty, by not being on his post nor having Someone Replace him. Plaintiff Argue, State Actors Mr. Puckett and div Supt. And Sheriff knew before Stabbing of threats And did Nothing to Prevent OR And Interview. Plaintiff entered ASA exhibit A grievance with State Actor Signature Stating he had Refel the Request to be Moved before Stabbing to Supt. And A Notary from law library Requestin div Supt to Move Me before Stabbing. The grievance has State Actor Mr. Puckett Signature, the Notary Was Notarized by div 1 law librar—. State Actors failed the Nature of duty obligation. Plaintiff 4 Amend Right to be Secure in there Person. 5 Amend deprived of liberty, 7 Amend Rules of Common law, 8 Amend CRUEL And UNUSUAL Punishments, 9 Amend Rights Retained 13 Amend ANY Place Subject to their Jurisdiction 14 Amend equal Protection.

Pope V. Shaffer. CA 7 il 1996 86 f. 3d 90

Falls V. Nesbitt C.A.S (CA 7) 1992, 966 f. 2d 375

Williams V. Mueller CAS Mo 1994. 13 f. 3d 1214

P. Long

Order Form (01/2005)

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	JAMES B. ZAGEL	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 1557	DATE	5/19/2008
CASE TITLE	Paul Smith (#B-52357) vs. J.H. Stroger, et al.		

## DOCKET ENTRY TEXT:

The plaintiff's requests for summonses [# ] is denied. Discovery materials are not obtained by way of motion or summons. Rather, the plaintiff should serve discovery requests upon defense counsel once an attorney enters an appearance for the defendants. See Fed. R. Civ. P. 26. The court does not become involved in the discovery process unless unresolvable conflicts arise between the parties.

Reply to Docket, Hearing

☐ [Docketing to mail notices.]

on: 7.2.08 (6)

The Above facts was sent to me 5.19.08 After filing Attached Motion to summon this Court for Med Records from Cermack health care 2800 S. Cal Plaintiff Recieved Stitches there on Same day of being Stabbed Plaintiff Made this Attemp to Present the exact date of Stabbing to Court. This Court ORDER in Above facts Are Wait to Request from defense Counsel once Appointed unless UnResolvable Conflicts.

mjm

Meznard can be notified by \_\_\_\_\_

Summary I only sent

one copy of Docket

And motion Meznard is on lock down since June 2.

Defense Attorney Copy

Paul Smith v. C.C. Sheriff  
 08-C-1557 / 5-6-08

**RECEIVED**

MAY 12 2008

Court Clerk:  
 Motion for Summons

MICHAEL W. DOBINS  
 CLERK, U.S. DISTRICT COURT

Plaintiff would like to Petition Clerk  
 for following.

① four Summons/USM 285 to Summon for Med  
 Records from 2800 S. California Ave Chicago,  
 IL 60608 Cermack Health Care Records  
 from 11/6 And 12/06.

② four Summons/USM 285 to Summon Cook  
 County Jail 2600 S. California Ave Chicago, IL  
 60608, for any Reports written by Cook County  
 Sheriff about Incident to show no disciplinary  
 report had been written because I have to  
 prove Police/Sheriff was not at Post. If he  
 was there would be a report and offenders  
 apprehended. Sheriff never call Noone to cover  
 Post if on Break/Restroom etc  
 Sheriff Rule Book 8 Summons/USM 285

*Paul Smith*

Paul Smith

vs

Cook County Sheriff

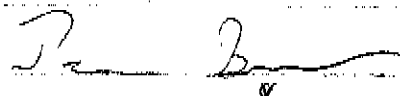
Supt / Counselor Puckett

Case #

8.C.1557

Defendant Would like to  
Petition this Court for A Judgement  
SUMMARY, After State Answer Motion  
to interrogate...

Will this Court Please grant A  
SUMMARY After State ANSWERS the Motion  
to interrogate.



Page One / Cover Page  
Request for A Summary Judgment  
8.C.1557

This Court has found Merits in Case 8.C.1557. Complainant States A Colorable Cause of Action 28 U.S.C. / 1915A.

Plaintiff Request A Summary Judgment of the following facts under Article 4 Section 4; A Guarantee of A Republican form of Government. State Actors by the Preponderance of Evidence knew before Stabbing to Remove defendant from their State. State Actors Also failed the Nature of duty / obligation by not being At Post OR And having A officer Replace him if on break etc. State Actors Supervisor And Counselor did not Respond on time; After being Awake. Negligence deliberate indifference.

## I/Summary

MR. Puckett Signature on this document in exhibit @ Means or And State.

- ④ He being A State Actor Nature of duty/obligation Means he became the State Actor Responsible to bring Resolution to facts Stated in grievance. It is Well established that State Actor Must take Reasonable Steps to Protect inmates from Assault, Birch v. Jones, Goka v. Bobbitt, 862 F.2d 646, 649.

### The Nature of Complaint.

The facts outline in grievance was Plaintiff had been ASSAULTED before on the tier and feared being Stabbed, because threats had been Made toward Plaintiff that if he told Sheriff about being extorted he would be Killed/Stabbed. Plaintiff informed State Actors, they Never Respond.

- ⑤ If State Actor Mr. Puckett turned grievance then the Supt. would be Responsible for Not taking Reasonable Steps. If Mr. Puckett did Not do his Job AS State Actor, Notifying the Right Person. Then He be-



Come Sole Responsible, He Should have  
Admitted Refel to Supt.

The grievance Procedure At Cook County  
Jail AS of Nov/06 Was/is When filing A grie  
Vance. A Complainant, MUST fill out grievance,  
Mail it in to Counselor OR And hand it in, either  
the Counselor Will hear it OR Refel it to  
Chief OR Supt. But to ASSure State Actor  
AWARENESS of Complaint, And Content, All grievance  
has A four Page Pack. White Copy / PROGRAM  
Yellow Copy / Counselor Pink Copy / Detainee  
Gold Copy / Supt. The Counselor Signs each  
Page, to ASSure You that they ARE AWARE of  
Your Complaint And RETURN the Pink detain-  
ee Copy to detainee.

Plaintiff have entered AS exhibit @ The  
Pink Copy With Counselor Tuckett Signa  
ture on it, CONFIRMING State ActorS KNEW  
And did Not take Reasonable Steps for  
Whatever? Reason. Resulting in A injury  
And two Stabb Wounds to Plaintiff face SCARS  
Can't be Reversed.



## II / SUMMARY

Sheriff Nature of duty / Nature of obligation.

① Plaintiff Proceeds that Cook County Sheriff Nature of obligation / duty, Sheriff Assigned to A Post Control time obligate him to Remain At Post, however they are Allowed A break, but they Can't leave Post Without A Replacement. At No time Are Sheriff Allow to leave Post With out A Replacement.

The Preponderance of Evidence Would Summarize, that the Assigned officers Was Not At his Post OR And did Not follow Protocol by having A Release if he took break leave. OR Either Ignored Attack All together but Sheriff Wasn't on Post Neither had A Replacement. Plaintiff looked for Sheriff After Re-arranging At Court time that there Were Knives on table And gang Members May try And Stab Plaintiff. Sheriff Stated he Was Conducting his Court And Would talk to me later I don't Remember if those Were his exact Words. About My Statement to him, but he Stated later he Was Counting. After Court Plaintiff Wanted to Reassure the Safety, Came out of Cell

officer WAS Not at Post, OR ON Cat Walk.  
Then Attack happened. I Later found out  
they overheard me at Count time telling  
Sheriff About Knives. I'm glad I Came out  
of Cell, I Could have been Killed. If Sheriff  
WAS At Post OR And had A Release to take A  
leave. The Attack happened every bit of  
17-20 Min, then I WAS Stabbed. Sheriff  
Could have Prevented OR Intervened. If Sheriff  
Were At Post, they Also Would have offender  
Apprehenders. Plaintiff further Argue that  
it's Cruel And UNUSUAL Punishment. Right to  
be Protected from harm, from his fellow  
inmates. Falls V Nesbitt, 966 f.2d 375. Williams  
V. Mueller 13 f.3d 1214. State Actors deprived  
Plaintiff of liberty to be Secure 14 Amend.  
14 Amend Right to be Secure in there Person.  
SS McGOWN V. If Sheriff failed the Nature  
of duty by Not being on Post, OR And having  
A Replacement if break/leave

### III / SUMMARY

#### Crime Control Act in/of Cook County

① Under the 4<sup>th</sup> Amend Right to have Person Secured It is NECESSARY to Consider the PARTICULAR PREMISES of div one, Where upon Sheriff having Joint Access OR And Control There's NO off limits of Surveillance from Post. The View from Post Make it Possible for ANY Sheriff on duty. to observe day room Shower Area Kitchen Utility Room hall. The Control time for Cell Surveillance is/Was EVERY 10-15 MIN. These two combination Suppose to Set exclusive Crime Control;

② A Sheriff is on his/her Post When EVERY detainees Are Allowed out of the Cell And GRANTED Access to the day room, Shower, Kitchen Utility Room And halls. Sheriff Access to Cell by Cat Walk.

③ A Sheriff Replacement before leaving Post for BREAKS, And going home.

④ If Sheriff/State Actors investigate And timely Respond to ANY Call/CRY Request WARDING for help.

Plaintiff Was left Unattended to on day in question Which left it Possible for inmates to either gain Access to C-4 tier or And detainees on tier to Attack Plaintiff. Plaintiff Was Knocked Unconscious And did Not See Who Attacker Were. But Was Willing to tell Sheriff Who I Saw easily treated With Knives Plaintiff had to be out for 17-20 Min. After being hit With A Shower brush. Blood Was All over. Plaintiff Came Around And Walked to day Room. Were Someone Allomous got help from Post on other Side. State Actors Could have got involved And had Me Move or And Secured, before Stabbin. If Sheriff Was doing Surveillance, he/she Could have Prevented or Intervain. Small Note: There's No off limits of Surveillance from Sheriff Post And Where detainees Are granted Access.

## IV / SUMMARY

## Notarized letter to Supt.

Plaintiff entered AS Evidence / Exhibit (B), A letter to Supt. OR And chief Asking to be Moved from tier because Plaintiff feared being Stabbed. Plaintiff Argue Why Supt did Not Respond in A timely Matter. All Mail that is put in the institution Mail Room With the exception of letter to the Supt And Counselor Are Sent to the Mail Room. But Mail to the Supt is took from tier Box And put directly into the Supt Mail box. by A Sheriff on duty. State Actors Were informed but didn't Reply.

⑥ Did State Actors ignore / deliberate indifference, the Request for help.

⑦ Did Sheriff / State Actor on duty give letter to Supt. If he didn't there System is Negligent State Actors Are Negligent And become liable.

⑧ Plaintiff tried to get help before being Stabbed Sending letter to State Actors Making them Aware, Plaintiff had no other Way to get help, After failed Attempt to get help from Sheriff And Counselor.

## ⑤ SUMMARY

Constitutional Rights Were Depraved  
17, 8, And 9 Proof And Evidence.

State Actor Are Required by the Above Amends.  
to Secure A Person in there Custody from being  
Attacked by other Inmates. Lewis V. Richards.  
CA 7 Cir 1997, 107 F.3d 549. State Actors did Not  
Comply to this Rule. Resulting in Plaintiff being  
Stabbed twice in the face.

If Court Weigh And Examining the evidence. (a)  
Exhibit. grievance sent to State Actor the COUNS  
elor Signature Confirming State Actor Were Aware  
grievance Were Also Referred to State Actors Super-  
Viser. div Supt. (b) Exhibit. A letter written to Supt.  
Informing Supt or And Chief, With A law libRAR—  
Notes. (c) Exhibit State Actor Sheriff that Was  
Suppose to be on duty do not have ANY ideals of  
offenders. The View from Post Make it Possible for  
ANY Sheriff on duty to observe day Room, Shower  
Area Kitchen Utility Area, And halls And Cell Surveillance  
Staff did Not Respond in the color code of law  
Making it impossible for Plaintiff to be granted  
his Constitutional Rights to be Protect While in State  
Actors Custody. Which lead/or And Which is  
the ONLY Reason Plaintiff Was Stabbed twice in

the face. Had State Actors Conducted the  
 Correct or And enforced the Rules offenders  
 Would not had Access to A Weapon. Had State  
 Actors been Conducting the Right Surveillance  
 from Assigned Control Post. State Actor Sheriff  
 Would have been Able to Intervene/Prevent the Stab  
 because Plaintiff was beaten before being Stabbed.  
 Sheriff Would have offenders Apprehended. Plain-  
 tiff 9 Amend Was Violated State Filed, deny Right Re-  
 tained by Plaintiff. Plaintiff is in State Custody  
 but Still have Certain Rights If State Actor deliberate  
 indifferented Plaintiff by ignore the grievance.  
 State Actor Sheriff Were Not At Post, Plaintiff Was  
 Attacked And then Stabbed twice in face. Nature of duty  
 obligation Amend 9 Rights Retained 14, 8, 4. Sheriff Filed  
 these obligation or And Someone is Running A illegal  
 or Unsecure Jail. No detainee is suppose to be cons-  
 titutionally be without A guaranteed Right to be  
 Secured. I Wouldn't think it is Running A illegal  
 Jail, It had to be due to failure of the Nature of duty  
 of one officer. State need to Present evidence  
 that Plaintiff did not tell State Actors Sheriff, Supl.  
 Counselor that he Was Threaten, Why Wouldn't he not  
 let them know, that there Was A possibility that  
 he Would be Stabbed, it don't make Sense. State Actors  
 need to Present evidence that A Jury Could See  
 that Plaintiff had not been Stabbed While in



State Custody. That State Actors Med TerSonal Must have Made false Records that Plaintiff had to Receive Stitches And Injuries Appered to be Stabb Wounds. Plaintiff Will Summon doctor from CERMAC health care. Evidence of Why letter to Suzt WAS Not ANSWERed. Cook Sheriff, Would have to explain Why he didn't follow Botecal. ONCE ASKed by Plaintiff to be Moved from Wings because he WAS threaten by fellow inmates, Who had Knives. Sheriff ALSO Would have to explain Why WASn't there ANY offenders Apprehended or And tickets Wrote if he had been on his post or And had Some one to Replace him. If on break, Which is the only Reason he is Allowed to leave his post. When detainees Are granted Access to day room, Yard Etc. Sheriff WAS Not on Post, there fore State is left Without Account of What happen. And Can't legal Ave Against the facts in Case. State has to give A Account of All Negligance. Watch Post is Created to Surveillance each detainee Within 2.7 Seconds When detainees Are granted Access to day room or And out of cell ATTACK And then Stabbing WAS Well over 17 min Sheriff ASSigned to Wing Can ANSWER to the Jury that he found out I had been Jumped on And Stabbed.

## Relief Summary only

Plaintiff Would Re-offer his ORIGINAL  
Relief Request from \$1,500,000.00 to  
\$275,983<sup>50</sup>

This is for Punitive damages for not  
being granted MY Constitutional Rights Pain:  
Suffering Emotional Stress, Cuts on MY face  
that can't be repaired, Swelling couldn't  
eat for a number of days.

This offer is only for  
Judgment Summary:

JURY: Yes

Date: 7-22-08

Signature: 

Print Paul Smith

Id. B52357

Address: P.O. Box 711

Medford, OR 97504

Medford IL CCRB Center

Paul Smith

V

8.C.1557

Cook County Sheriff

Hono Judge

Supt. Counselor Tackett

James B. Zigel

Motion to interrogate defense

Counsel.

① Plaintiff Would like to interrogate defense for Verification from Mr. Tackett that his Signature is on grievance filed before Stabbing or A Written Signature so expert witness can compare.

② Plaintiff Would like to interrogate defense Counsel for A explanation of the Mail System at Jail. Plaintiff Sent A letter thru Jail. With A Law Library Notary Asking Supt of Jail to Remove Plaintiff before being Stabbed. Plaintiff Need to Show Negligence in Mail System And State IS liable.

③ Plaintiff Would like to interrogate defense Counsel for All Written Reports of Incident.

④ Plaintiff Would like to interrogate the defense Counsel for, how long do it take for A Cook County Sheriff Respond team to Respond

once officers on Post Notice Any  
Unoffice behavior.

② Interrogating for Sheriff on duty Alibi of  
Why he didn't Respond.

③ Interrogate for Sheriff on duty on  
C-4 3-14 Shift. Date of Attack And  
Div Supt Name Dec 2006, The date  
Can be learned from When Plaintiff had  
to Receive Stitches from Cezmack  
health Care. Plaintiff Interrogates for  
Dec, 2006 Med Records from Cezmack health  
Care.